

Executive Summary – Enforcement Matter – Case No. 41953

INEOS USA LLC

RN100238708

Docket No. 2011-1081-AIR-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Unauthorized emissions which are excessive emissions events.

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Chocolate Bayou Plant, located two miles south of the intersection of Farm-to-Market Road 2917 and Farm-to-Market Road 2004, Brazoria County

Type of Operation:

Chemical manufacturing plant

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Docket Nos. 2011-1585-AIR-E, 2007-1279-AIR-E, 2008-1816-AIR-E, and 2011-0614-AIR-E.

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: September 30, 2011

Comments Received: No

Penalty Information

Total Penalty Assessed: \$10,496

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$10,496

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Average

Site/RN - Average

Major Source: Yes

Statutory Limit Adjustment: \$41,100

Applicable Penalty Policy: September 2002

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INEOS USA LLC
RN100238708
Docket No. 2011-1081-AIR-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: March 30, 2011

Date(s) of NOE(s): June 17, 2011

Violation Information

1. Failed to prevent unauthorized emissions. Specifically, 9,553.23 pounds ("lbs") of volatile organic compounds (including 8,525.49 lbs of ethylene), 8,764.65 lbs of carbon monoxide and 1,166.64 lbs of nitrogen oxides were released from the Olefins 1 Flare, Emissions Point Number DM-1101, during an avoidable emissions event (Incident No. 151392) that began on March 1, 2011, and lasted seven hours. The event occurred when the Respondent failed to unblock the steam tracing line and prevent the formation of cracks in the line. Since the emissions event was avoidable by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a) and 122.143(4), Flexible Permit Nos. 95 and PSD-TX-854M2, Special Conditions No. 1, Federal Operating Permit No. 1353, Special Terms and Conditions No. 9 and TEX. HEALTH & SAFETY CODE § 382.085(b)].

2. Failed to report all contaminants released in the final report. Specifically, the final report submitted for Incident No. 151392, which occurred on March 1, 2011, failed to specify the release of propylene, propane, 1,3-butadiene, butenes and pentane [30 TEX. ADMIN. CODE § 101.201(b)(1)(G) and TEX. HEALTH & SAFETY CODE § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent has implemented the following corrective measures at the Plant:

- a. On March 14, 2011, completed repair of the steam tracing line to prevent blockage and scanned the demethanizer tower to evaluate tower operation and ensure all trays, reboiler sump and manways are in good working order;
- b. On June 2, 2011, completed training of personnel to ensure that reports are submitted with the correct information; and
- c. On July 13, 2011, completed training of personnel to provide alternate steam tracing to instruments when the main steam line is blocked for maintenance.

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Technical Requirements:

N/A

Litigation Information

Date Petition(s) Filed: N/A

Date Answer(s) Filed: N/A

SOAH Referral Date: N/A

Hearing Date(s): N/A

Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Nadia Hameed, Enforcement Division,
Enforcement Team 5, MC R-12, (713) 767-3629; Debra Barber, Enforcement Division,
MC 219, (512) 239-0412.

TCEQ SEP Coordinator: N/A

Respondent: David Brackett, Site Manager, INEOS USA LLC, P.O. Box 1488, Alvin,
Texas 77512

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	20-Jun-2011	Screening	23-Jun-2011	EPA Due	
	PCW	22-Jul-2011				

RESPONDENT/FACILITY INFORMATION

Respondent	INEOS USA LLC		
Reg. Ent. Ref. No.	RN100238708		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	41953	No. of Violations	2
Docket No.	2011-1081-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Nadia Hameed
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum		\$0	Maximum
			\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$10,100**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History **421.0%** Enhancement **Subtotals 2, 3, & 7** **\$42,521**

Notes: Enhancement for 11 NOVs with same/similar violations, 11 NOVs with dissimilar violations, 11 orders with denial of liability, and five orders without denial of liability. Reduction for one Notice of Audit letter submitted.

Culpability **No** **0.0%** Enhancement **Subtotal 4** **\$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5** **\$1,025**

Economic Benefit **0.0%** Enhancement* **Subtotal 6** **\$0**

Total EB Amounts \$160
Approx. Cost of Compliance \$30,500
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$51,596**

OTHER FACTORS AS JUSTICE MAY REQUIRE **0.0%** **Adjustment** **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **\$51,596**

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** **\$10,496**

DEFERRAL **0.0%** Reduction **Adjustment** **\$0**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

No deferral is recommended for Findings Orders.

PAYABLE PENALTY **\$10,496**

Screening Date 23-Jun-2011

Docket No. 2011-1081-AIR-E

PCW

Respondent INEOS USA LLC

Policy Revision 2 (September 2002)

Case ID No. 41953

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100238708

Media [Statute] Air

Enf. Coordinator Nadia Hameed

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	11	55%
	Other written NOVs	11	22%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	11	220%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	5	125%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 421%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for 11 NOVs with same/similar violations, 11 NOVs with dissimilar violations, 11 orders with denial of liability, and five orders without denial of liability. Reduction for one Notice of Audit letter submitted.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 421%

Screening Date 23-Jun-2011

Docket No. 2011-1081-AIR-E

PCW

Respondent INEOS USA LLC

Policy Revision 2 (September 2002)

Case ID No. 41953

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100238708

Media [Statute] Air

Enf. Coordinator Nadia Hameed

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 101.20(3), 116.715(a) and 122.143(4), Flexible Permit Nos. 95 and PSD-TX-854M2, Special Conditions No. 1, Federal Operating Permit No. 1353, Special Terms and Conditions No. 9 and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, 9,553.23 pounds ("lbs") of volatile organic compounds (including 8,525.49 lbs of ethylene), 8,764.65 lbs of carbon monoxide and 1,166.64 lbs of nitrogen oxides were released from the Olefins 1 Flare, Emissions Point Number DM-1101, during an avoidable emissions event (Incident No. 151392) that began on March 1, 2011, and lasted seven hours. The event occurred when the Respondent failed to unblock the steam tracing line and prevent the formation of cracks in the line. Since the emissions event was avoidable by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 Tex. Admin. Code § 101.222.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	x		
Potential			

Percent 100%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to significant amounts of pollutants which exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$0

\$10,000

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x	daily	x
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty \$10,000

One daily event is recommended.

Good Faith Efforts to Comply

10.0% Reduction

\$1,000

Extraordinary

Before NOV NOV to EDPRP/Settlement Offer

Ordinary

N/A

(mark with x)

Notes

The Respondent completed the corrective actions on July 13, 2011, after the June 17, 2011, NOE.

Violation Subtotal \$9,000

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$154

Violation Final Penalty Total \$51,100

This violation Final Assessed Penalty (adjusted for limits) \$10,000

Economic Benefit Worksheet

Respondent INEOS USA LLC
Case ID No. 41953
Reg. Ent. Reference No. RN100238708
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$25,000	1-Mar-2011	14-Mar-2011	0.04	\$3	\$59	\$62
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$5,000	1-Mar-2011	13-Jul-2011	0.37	\$92	n/a	\$92
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated expense to repair the steam tracing line and scan the demethanizer tower to evaluate tower operation (completed March 14, 2011) and to train personnel to provide steam tracing to instruments when the main steam line is blocked (completed July 13, 2011). The Date Required is the date of the emissions event. The Final Date is the date the corrective actions were completed.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$30,000

TOTAL

\$154

Screening Date 23-Jun-2011

Docket No. 2011-1081-AIR-E

PCW

Respondent INEOS USA LLC

Policy Revision 2 (September 2002)

Case ID No. 41953

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100238708

Media [Statute] Air

Enf. Coordinator Nadia Hameed

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code § 101.201(b)(1)(G) and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to report all contaminants released in the final report. Specifically, the final report submitted for Incident No. 151392, which occurred on March 1, 2011, failed to specify the release of propylene, propane, 1,3-butadiene, butenes and pentane.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification			
	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes

At least 70 percent of the rule requirement was met.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 1

30 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$100

One single event is recommended.

Good Faith Efforts to Comply

25.0% Reduction

\$25

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary	
Ordinary	x
N/A	(mark with x)

Notes

The Respondent completed the corrective actions on June 2, 2011, prior to the June 17, 2011 NOE.

Violation Subtotal \$75

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$6

Violation Final Penalty Total \$496

This violation Final Assessed Penalty (adjusted for limits) \$496

Economic Benefit Worksheet

Respondent INEOS USA LLC
Case ID No. 41953
Reg. Ent. Reference No. RN100238708
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$500	1-Mar-2011	2-Jun-2011	0.25	\$6	n/a	\$6
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated expense to ensure that the reports are submitted with all the necessary information (list of released contaminants was provided on March 30, 2011). The Date Required is the date of the emissions event and the Final Date is the date the corrective actions were completed.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$6

Compliance History

Customer/Respondent/Owner-Operator:	CN602817884	INEOS USA LLC	Classification: AVERAGE	Rating: 4.74
Regulated Entity:	RN100238708	CHOCOLATE BAYOU PLANT	Classification: AVERAGE	Site Rating: 8.69
ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	BL0002S	
	AIR OPERATING PERMITS	PERMIT	1353	
	AIR OPERATING PERMITS	PERMIT	2327	
	POLLUTION PREVENTION PLANNING	ID NUMBER	P00028	
	WASTEWATER	PERMIT	WQ0001333000	
	WASTEWATER	EPA ID	TX0004821	
	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	12999	
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200132	
	UNDERGROUND INJECTION CONTROL	PERMIT	5D0400007	
	AIR NEW SOURCE PERMITS	PERMIT	53419	
	AIR NEW SOURCE PERMITS	PERMIT	95	
	AIR NEW SOURCE PERMITS	PERMIT	101	
	AIR NEW SOURCE PERMITS	REGISTRATION	75608	
	AIR NEW SOURCE PERMITS	REGISTRATION	12953	
	AIR NEW SOURCE PERMITS	REGISTRATION	53419	
	AIR NEW SOURCE PERMITS	REGISTRATION	75399	
	AIR NEW SOURCE PERMITS	REGISTRATION	10465	
	AIR NEW SOURCE PERMITS	REGISTRATION	10906	
	AIR NEW SOURCE PERMITS	REGISTRATION	11060	
	AIR NEW SOURCE PERMITS	REGISTRATION	11539	
	AIR NEW SOURCE PERMITS	REGISTRATION	12136	
	AIR NEW SOURCE PERMITS	REGISTRATION	12709	
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0002S	
	AIR NEW SOURCE PERMITS	AFS NUM	4803900014	
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX854	
	AIR NEW SOURCE PERMITS	PERMIT	488A	
	AIR NEW SOURCE PERMITS	PERMIT	491A	
	AIR NEW SOURCE PERMITS	PERMIT	1041	
	AIR NEW SOURCE PERMITS	PERMIT	2798	
	AIR NEW SOURCE PERMITS	PERMIT	4882	
	AIR NEW SOURCE PERMITS	PERMIT	7196	
	AIR NEW SOURCE PERMITS	PERMIT	19868	
	AIR NEW SOURCE PERMITS	PERMIT	35735	
	AIR NEW SOURCE PERMITS	PERMIT	46192	
	AIR NEW SOURCE PERMITS	REGISTRATION	48637	

AIR NEW SOURCE PERMITS	REGISTRATION	71820
AIR NEW SOURCE PERMITS	REGISTRATION	74968
AIR NEW SOURCE PERMITS	REGISTRATION	76394
AIR NEW SOURCE PERMITS	EPA ID	PSDTX793
AIR NEW SOURCE PERMITS	EPA ID	PSDTX983
AIR NEW SOURCE PERMITS	REGISTRATION	76826
AIR NEW SOURCE PERMITS	REGISTRATION	76401
AIR NEW SOURCE PERMITS	EPA ID	PSDTX642
AIR NEW SOURCE PERMITS	REGISTRATION	78501
AIR NEW SOURCE PERMITS	REGISTRATION	78483
AIR NEW SOURCE PERMITS	EPA ID	PSDTX854M2
AIR NEW SOURCE PERMITS	REGISTRATION	94567
AIR NEW SOURCE PERMITS	REGISTRATION	87813
WATER LICENSING	LICENSE	0200132
INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD050309012
INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	30042
INDUSTRIAL AND HAZARDOUS WASTE	PERMIT	50121
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30042
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	BL0002S

Location: 2 MI S OF THE INTERSECTION OF FM 2917 AND FM 2004

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: June 24, 2011

Date Compliance History Prepared:

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: June 24, 2006 to June 24, 2011

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: NHameed Phone: 713-767-3629

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator?
N/A
4. If Yes, who was/were the prior owner(s)/operator(s)?
N/A
5. When did the change(s) in owner or operator occur?
N/A
6. Rating Date: 9/1/2010 Repeat Violator: NO

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.

Effective Date: 08/28/2006

ADMINORDER 2006-0242-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Air Permit #92/PSD-TX-854, S.C.#1 PA

Description: Failed to prevent unauthorized emissions during a April 14, 2005 emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Air Permit #95/PSD-TX-854, S.C.#1 PA

Description: Failed to prevent unauthorized emissions during a May 29, 2005 emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Air Permit #95/PSD-TX-854, S.C.#1 PA

Description: Failed to prevent unauthorized emissions during a July 5, 2005 emissions event.

Effective Date: 11/03/2006

ADMINORDER 2006-0469-AIR-E

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)

Rqmt Prov: No. 95/PSD-TX-854, Special Condition #1 PERMIT

Description: Failure to prevent loss of instrument air resulting in unauthorized emissions.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

Rqmt Prov: Permit No. 95/PSD-TX-854 PERMIT

Description: Failed to maintain an emission rate below the maximum allowable emission limit of zero from the No. 1 Olefins Flare on November 19, 2005 [emission point No. ("EPN") DM-1101] on November 19, 2005.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to maintain an emission rate below the maximum allowable emission limit of zero from the No. 1 Olefins Flare on December 11, 2005 [EPN DM-1101] on December 11, 2005.

Effective Date: 04/26/2007

ADMINORDER 2006-1893-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

Rqmt Prov: No. 95, Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

Effective Date: 08/31/2007

ADMINORDER 2007-0175-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)

Rqmt Prov: No. 95, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions.

Effective Date: 11/19/2007

ADMINORDER 2004-0891-AIR-E

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Flexible Air Permit #95, SC #1 PERMIT

Description: BP Amoco failed to prevent the unauthorized excessive emissions from Emission Point No. DDM-3101 during a period of 42 hours on April 1 through April 3, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Flexible Permit 95 and PSD-TX-854 PA

Description: BP Amoco failed to prevent the unauthorized emissions when a drain valve on Flare Knock-Out Drum AD-1501 was left open for one hour on May 3, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ FLEXIBLE AIR PERMIT #95, SC#1 PERMIT

Description: BP Amoco failed to prevent the unauthorized emissions when BP Amoco failed to prevent a high concentration of carbon monoxide in cracked gas which caused a malfunction in the acetylene reactor, which in turn, resulted in the production of ethylene which was routed to the Olefins 1 Flare for approximately 12 hours and 30 minutes on July 19, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Flexible Air Permit No. 95, SC1 PERMIT

Description: BP Amoco failed to prevent the unauthorized emissions from the Olefins 2 Unit's flare when the Steam Turbine, DDGT-220AN, had an electrical short circuit which caused it to trip offline. This short circuiting caused the Cracked-Gas Compressor DDC-202N to trip-off during a period of approximately eleven (11) hours on June 16, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19868, SC No. 1 PA

Description: BP Amoco failed to prevent the unauthorized emissions due to a seal failure on Quench Pump MG-251 for approximately one hour and forty-five minutes on July 9, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Flex Air Permit No. 95, SC1 PERMIT

Description: BP Amoco failed to prevent unauthorized emissions from the Olefins 1 Unit Flare when BP failed to control back-pressure in a hydrogen pipeline; thereby shutting down two compressors and decreasing flow through the ethylene section of the Olefins 1 Unit for approximately 40 hours from October 21 through October 23, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)

Rqmt Prov: 95, SC #1 PA

Description: BP Amoco failed to prevent unauthorized emissions from the Olefins 1 Flare when BP failed to control the carbon monoxide concentration and temperature in the acetylene reactor, DR-201 A/B, for approximately 10 hours on October 29, 2004.

Effective Date: 01/28/2008

ADMINORDER 2007-0370-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 95/PSD-TX-854, SC#1 PERMIT

Description: Failure to prevent an unplanned compressor shutdown resulting in unauthorized emissions during Incident 63040 and 63041.

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 95 PERMIT

Description: Failed to control unauthorized emissions during Incident No. 63863 and No. 63864.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Flex Air Permit #95/PSD-TX-854, SC1 OP

Description: INEOS failure to prevent an avoidable emissions event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter G 116.715(a)

5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: Special Condition No. 1 PERMIT
Description: Failure to prevent loss of feed resulting in unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Permit No. 95, Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions due to operator error.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: TCEQ Permit No. 95, Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: No. 95, Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions.

Effective Date: 04/03/2008 ADMINORDER 2007-1325-PWS-E
Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
5A THC Chapter 341, SubChapter A 341.0315(c)
Description: Violated the maximum contaminant level for Trihalomethanes during the fourth quarter of 2006.
Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
5A THC Chapter 341, SubChapter A 341.0315(c)
Description: Violated the maximum contaminant level for Trihalomethanes during the first quarter of 2007.

Effective Date: 07/21/2008 ADMINORDER 2008-0266-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: No. 95, Special Condition 1 PERMIT
Description: Failed to prevent the interruption of dimethylsulfide supply to dilution steam.

Effective Date: 11/17/2008 ADMINORDER 2008-0800-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 111, SubChapter A 111.111(a)(1)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: General Condition No. 11 PERMIT
Special Condition 1 PERMIT
Description: Failed to comply with permitted emissions limits.

Effective Date: 03/12/2009 ADMINORDER 2008-1561-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Description: Failed to prevent rupture of Tank AF4601B roof seals.

Effective Date: 07/20/2009 ADMINORDER 2009-0292-AIR-E

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Description: INEOS failed to prevent an avoidable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Description: INEOS failed to prevent an avoidable emissions event.

Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Description: Failure to prevent the unauthorized release of 2,739 lbs of ethylene, 93 lbs of 1,3-butadiene, 303 lbs of propylene, 1,119 lbs nitrogen oxides, 5,701 lbs carbon monoxide, and 527 lbs of other volatile organic compounds (VOCs). This was caused by a malfunction of a level controller on the feed drum separator to a demethanizer column.

Effective Date: 11/13/2009 ADMINORDER 2009-0758-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PA
Description: Failure to prevent unauthorized emissions. Specifically, the failure of the mechanical arm caused the malfunction of DDC-201 crack gas compresor.

Effective Date: 04/11/2010 ADMINORDER 2009-1084-AIR-E
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions during an emissions event. The operator failed to control the liquid level on first stage suction drum (D-201).
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions during an emissions event. Specifically, INEOS failed to prevent the loss of steam pressure which resulted in C-201 cracked gas compressor trip.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions. The valve controller to the R-202 acetylene reactor was tuned improperly.
Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Rqmt Prov: Special Condition 1 PERMIT
Description: Failure to prevent unauthorized emissions when the block valve to DB901A fuel line was not fully closed.

Effective Date: 04/25/2010 ADMINORDER 2009-1737-AIR-E
Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failure to prevent the release of unauthorized emissions which was caused by the polymerization of 1,3-butadiene in the process.

Effective Date: 03/07/2011

ADMINORDER 2010-1059-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions from the No. 2 Olefins Flare, including more than 1,200 lbs per hour of HRVOC, during an excessive emissions event (Incident No. 135112) which began on January 28, 2010

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions from relief valves and the No. 1 Olefins flare during an emissions event (Incident No. 135522) on February 6, 2010

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition No.1 PERMIT

Description: Failed to prevent unauthorized emissions from the No. 2 Olefins Flare during an emissions event (Incident No. 134543) beginning on January 15, 2010.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: SC 8.B. PERMIT

Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions from the PP3 Flare and to maintain the flame on the flare during an emissions event (Incident No. 137002) which began on March 13, 2010

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions from the No. 1 Olefins Flare during an emissions event (Incident No. 137806) which began on March 31, 2010.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition No. 1 PERMIT

Description: Failed to prevent unauthorized emissions from the DDG-411AN propylene product pump during an emissions event (Incident No. 138184) on April 10, 2010

Effective Date: 05/08/2011

ADMINORDER 2010-0507-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.211(a)
5C THSC Chapter 382 382.085(b)

Description: Failed to submit a notification for the unplanned startup of the refrigeration compressor DC-301 in the Olefins 1 Unit on February 26, 2010. During the startup, emissions were released from the Olefins 1 Flare (Emission Point No. DM-1101) in excess of the reportable quantities for propylene, ethylene, 1,3-butadiene, and nitrogen oxides.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	08/09/2006	(375409)
2	02/22/2007	(437530)
3	02/23/2007	(437902)
4	07/11/2007	(454997)
5	11/27/2006	(455008)
6	03/13/2007	(455785)
7	03/23/2007	(460443)
8	04/03/2007	(461307)
9	04/11/2007	(461770)
10	07/27/2006	(465816)
11	06/30/2006	(482249)
12	07/07/2006	(483768)
13	07/07/2006	(483977)
14	07/07/2006	(484327)
15	07/21/2006	(484894)
16	07/21/2006	(485159)
17	07/06/2006	(485562)
18	09/01/2006	(488185)
19	09/01/2006	(488258)
20	09/01/2006	(488259)
21	09/01/2006	(488316)
22	09/01/2006	(488416)
23	09/01/2006	(488461)
24	09/01/2006	(488482)
25	09/01/2006	(489158)
26	02/26/2007	(489773)
27	09/01/2006	(497259)
28	07/17/2006	(498120)
29	10/10/2006	(511470)

30	05/21/2007	(511619)
31	10/10/2006	(514525)
32	10/17/2006	(515418)
33	12/06/2006	(518260)
34	08/16/2006	(520130)
35	10/12/2006	(520131)
36	12/19/2006	(532142)
37	04/13/2007	(532653)
38	01/16/2007	(534803)
39	03/22/2007	(541397)
40	04/09/2007	(541411)
41	02/26/2007	(541487)
42	02/28/2007	(541747)
43	02/07/2007	(544396)
44	11/17/2006	(544397)
45	11/08/2006	(544398)
46	12/12/2006	(544399)
47	01/12/2007	(544400)
48	05/03/2007	(554914)
49	05/10/2007	(555702)
50	05/25/2007	(560317)
51	06/06/2007	(562013)
52	08/10/2007	(562140)
53	08/10/2007	(563070)
54	06/25/2007	(564693)
55	09/28/2007	(565477)
56	08/31/2007	(565801)
57	10/04/2007	(565852)
58	10/04/2007	(565854)
59	10/10/2007	(565963)

60	10/10/2007	(565967)
61	10/10/2007	(566452)
62	10/19/2007	(566487)
63	07/23/2007	(566724)
64	10/10/2007	(566839)
65	10/19/2007	(566879)
66	10/10/2007	(566915)
67	10/11/2007	(566941)
68	12/04/2007	(566947)
69	10/11/2007	(566955)
70	07/23/2007	(567132)
71	01/17/2007	(567358)
72	07/19/2007	(567658)
73	05/18/2007	(568214)
74	07/30/2007	(568409)
75	10/18/2007	(569974)
76	11/26/2007	(569987)
77	11/26/2007	(570225)
78	02/20/2008	(570269)
79	09/19/2007	(570290)
80	11/27/2007	(570543)
81	09/19/2007	(574167)
82	11/13/2007	(574346)
83	03/12/2007	(575151)
84	04/16/2007	(575152)
85	05/18/2007	(575153)
86	06/11/2007	(575154)
87	07/12/2007	(575155)
88	08/07/2007	(575156)
89	11/09/2007	(594021)
90	11/09/2007	(594251)

91	11/09/2007	(594360)
92	11/16/2007	(594670)
93	11/16/2007	(594676)
94	11/16/2007	(594681)
95	11/09/2007	(594738)
96	11/19/2007	(594880)
97	03/10/2008	(597253)
98	12/20/2007	(599302)
99	01/02/2008	(599812)
100	11/06/2007	(600100)
101	01/08/2008	(600585)
102	02/08/2008	(600663)
103	09/18/2007	(607523)
104	09/18/2007	(607524)
105	02/08/2008	(609244)
106	01/10/2008	(609407)
107	01/25/2008	(609712)
108	02/08/2008	(609996)
109	02/08/2008	(610061)
110	02/08/2008	(610221)
111	02/08/2008	(610485)
112	02/08/2008	(611533)
113	01/18/2008	(611544)
114	01/03/2008	(611841)
115	02/08/2008	(611999)
116	02/08/2008	(612004)
117	02/08/2008	(612681)
118	03/13/2008	(614947)
119	03/18/2008	(615544)
120	03/18/2008	(615545)
121	03/18/2008	(615556)

122	03/18/2008	(615557)
123	03/31/2008	(616611)
124	03/31/2008	(616733)
125	04/04/2008	(618108)
126	02/15/2008	(618820)
127	11/08/2007	(619477)
128	12/05/2007	(619478)
129	10/29/2008	(636605)
130	03/06/2008	(636901)
131	05/09/2008	(637781)
132	04/21/2008	(639800)
133	05/16/2008	(639937)
134	05/16/2008	(639984)
135	05/16/2008	(640018)
136	05/23/2008	(640200)
137	07/07/2008	(641625)
138	02/08/2008	(652098)
139	05/18/2007	(652283)
140	08/10/2007	(652667)
141	11/15/2007	(653032)
142	05/07/2008	(654421)
143	10/27/2008	(657228)
144	06/30/2008	(671377)
145	06/30/2008	(671397)
146	02/13/2008	(671984)
147	03/06/2008	(671985)
148	04/07/2008	(671986)
149	03/26/2008	(671987)
150	07/15/2008	(681456)
151	10/21/2008	(682299)
152	06/26/2008	(683110)

153	06/27/2008	(684063)
154	10/28/2008	(685844)
155	08/14/2008	(686668)
156	07/28/2008	(687478)
157	08/19/2008	(687694)
158	08/22/2008	(687895)
159	02/20/2009	(689406)
160	02/20/2009	(689422)
161	05/12/2008	(689902)
162	06/10/2008	(689903)
163	11/10/2008	(700448)
164	08/29/2008	(701306)
165	11/10/2008	(705593)
166	12/06/2007	(710683)
167	09/05/2008	(710684)
168	09/23/2008	(710685)
169	11/10/2008	(710686)
170	09/23/2008	(710687)
171	02/03/2009	(722657)
172	02/05/2009	(722823)
173	02/05/2009	(722848)
174	02/27/2009	(724203)
175	08/20/2009	(724204)
176	07/27/2009	(725190)
177	02/10/2009	(726338)
178	12/10/2008	(727445)
179	12/10/2008	(727446)
180	04/24/2009	(737309)
181	05/15/2009	(737333)
182	04/27/2009	(737963)
183	03/18/2009	(738007)

184	03/18/2009	(738050)
185	05/05/2009	(739628)
186	05/05/2009	(739755)
187	06/09/2009	(739816)
188	04/18/2009	(741058)
189	08/07/2009	(741172)
190	05/15/2009	(742437)
191	05/15/2009	(742470)
192	05/15/2009	(742611)
193	11/10/2009	(746109)
194	06/30/2009	(746227)
195	11/05/2009	(746389)
196	08/04/2010	(747496)
197	07/16/2009	(748313)
198	07/16/2009	(748315)
199	08/14/2009	(749587)
200	02/03/2009	(750205)
201	03/04/2009	(750206)
202	04/08/2009	(750207)
203	04/01/2009	(750208)
204	09/02/2009	(760233)
205	09/02/2009	(760551)
206	09/03/2009	(761249)
207	09/02/2009	(761259)
208	09/03/2009	(761268)
209	09/28/2009	(762141)
210	09/28/2009	(763026)
211	09/18/2009	(763553)
212	08/17/2009	(764639)
213	09/30/2009	(764855)

214	09/30/2009	(764874)
215	10/01/2009	(765567)
216	10/08/2009	(766406)
217	08/20/2009	(766649)
218	05/15/2009	(768312)
219	06/09/2009	(768313)
220	12/23/2009	(777974)
221	01/05/2010	(778214)
222	12/02/2009	(778933)
223	12/22/2009	(780308)
224	01/22/2010	(780824)
225	12/17/2009	(784082)
226	01/26/2010	(787753)
227	01/22/2010	(787933)
228	01/27/2010	(789059)
229	02/17/2010	(789378)
230	02/24/2010	(792058)
231	05/27/2010	(793072)
232	07/13/2010	(795013)
233	03/12/2010	(795191)
234	04/23/2010	(795826)
235	04/23/2010	(795943)
236	04/19/2010	(796648)
237	05/10/2010	(800560)
238	05/17/2010	(801639)
239	06/10/2010	(801866)
240	06/23/2010	(802202)
241	05/26/2010	(802444)
242	06/24/2010	(802766)
243	08/31/2010	(803098)
244	02/08/2010	(804519)

245	11/09/2009	(804520)
246	12/07/2009	(804521)
247	01/11/2010	(804522)
248	08/09/2010	(824509)
249	06/17/2010	(824648)
250	06/08/2010	(824682)
251	07/28/2010	(825561)
252	07/09/2010	(826424)
253	07/14/2010	(826434)
254	11/24/2010	(826657)
255	11/10/2010	(826661)
256	11/24/2010	(826663)
257	03/04/2010	(830831)
258	04/07/2010	(830832)
259	05/13/2010	(830833)
260	09/07/2010	(841097)
261	07/21/2010	(841099)
262	09/03/2010	(841100)
263	01/07/2011	(843913)
264	06/15/2010	(846251)
265	08/31/2010	(849984)
266	07/08/2010	(860846)
267	11/08/2010	(866088)
268	10/13/2010	(866253)
269	08/12/2010	(866812)
270	01/27/2011	(870365)
271	02/24/2011	(871346)
272	01/12/2011	(872609)
273	01/14/2011	(872634)
274	02/08/2011	(872714)
275	09/08/2010	(873884)

276	01/05/2011	(878647)
277	12/10/2010	(878760)
278	01/14/2011	(878920)
279	01/05/2011	(881211)
280	09/21/2010	(881485)
281	01/10/2011	(885126)
282	03/15/2011	(885405)
283	03/23/2011	(887208)
284	11/03/2010	(888014)
285	04/14/2011	(891799)
286	03/10/2011	(891868)
287	03/10/2011	(891871)
288	03/10/2011	(891874)
289	03/04/2011	(893279)
290	02/08/2011	(894375)
291	03/03/2011	(895466)
292	12/09/2010	(896219)
293	03/30/2011	(900038)
294	01/07/2011	(902288)
295	04/07/2011	(905461)
296	04/07/2011	(905464)
297	06/17/2011	(906755)
298	04/06/2011	(908551)
299	02/08/2011	(909064)
300	06/01/2011	(911882)
301	04/28/2011	(914182)
302	03/15/2011	(916327)
303	03/31/2011	(924768)
304	09/09/2009	(924769)
305	10/05/2009	(924770)

Date: 01/17/2007 (567358) CN602817884
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
5A THC Chapter 341, SubChapter A 341.0315(c)
Description: Violated the maximum contaminant level for Trihalomethanes during the fourth quarter of 2006.

Date: 05/18/2007 (652283) CN602817884
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
Description: TOTAL TRIHALOMETHANES

Date: 05/18/2007 (568214) CN602817884
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
5A THC Chapter 341, SubChapter A 341.0315(c)
Description: Violated the maximum contaminant level for Trihalomethanes during the first quarter of 2007.

Date: 08/10/2007 (652667) CN602817884
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)
Description: TOTAL TRIHALOMETHANES

Date: 08/31/2007 (565801) CN602817884
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 60, Subpart VV 60.482-6(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP #O-01353, Special Condition #1A OP
FOP #O-01353, Special Condition #6 OP
Permit #19868, Special Condition #5E PERMIT
Permit #35735, Special Condition #8E PERMIT
Permit #5419, Special Condition #8E PERMIT

Description: Failure to seal open-ended lines in a VOC service.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP # O-01353, Special Condition #1A OP
FOP # O-01353, Special Condition #6 OP
Permit #19868, Special Condition #8D PERMIT

Permit #35735, Special Condition #4 PERMIT

Description: Failure to prevent flares' on-line analyzers to be out of service.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)

30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Part 60, Subpart A 60.18(c)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP #O-01353, Special Condition #1A OP
FOP #O-01353, Special Condition #6 OP
Permit #35735, Special Condition #3 PERMIT

Description: Failure to prevent visible emissions at the flare.
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
FOP #O-01353, Special Condition #6 OP
Permit #35735, Special Condition #4 PERMIT

Description: Failure to prevent flare monitoring data for vent flow rate lost due to parametric

meter malfunction.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
30 TAC Chapter 122, SubChapter B 122.146(5)(D)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to include in four previous deviation reports (May 2005 to October 2006) their failure to submit semi-annual reports of non-repairable HRVOC fugitive emission components to TCEQ Houston Region Office.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(2)(A)(i)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to prevent extraordinary repair attempt not completed within 30 days of leak detection for valve in HRVOC service (leaking <10,000 ppmv).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.786(c)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to submit reports of HRVOC fugitive emissions components that were non-repairable (i.e. placed on delay of repair) to the TCEQ and local agency semi-annually as required until the report covering the period ending December 31, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to collect samples for total VOC analysis while Polypropylene Unit #2 cooling tower analyzer was out of calibration.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.206(i)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to prevent stationary diesel emergency engine tested between 6 am and 12 noon.

Date: 09/30/2007 (607523) CN602817884

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 11/15/2007 (653032) CN602817884

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)

Description: TOTAL TRIHALOMETHANES

Date: 02/08/2008 (652098) CN602817884

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.113(f)(4)

Description: TOTAL TRIHALOMETHANES

Date: 04/04/2008 (618108) CN602817884

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
No. 95, Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions due to operator error.

Date: 07/15/2008 (681456) CN602817884

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.221(a)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
Special Condition No. 8B PERMIT

Description: Failed to prevent the loss of flame at the flare.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT
Description: Failed to prevent unauthorized emissions.

Date: 08/22/2008 (687895) CN602817884

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition #1 PERMIT

Description: Failure to prevent flare malfunction.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
Special Condition #8.B PERMIT

Description: Failure to prevent the loss of flame on the flare.

Date: 10/31/2008 (710686) CN602817884

Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 10/31/2008 (636605) CN602817884

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)(C)
30 TAC Chapter 115, SubChapter H 115.782(c)(1)(C)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.171(d)(2)
5C THSC Chapter 382 382.085(b)
STC 1A OP

Description: Failure to repair four leaking pumps.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
STC 1A OP

Description: Failed to repair leaking components within 15 days.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.786(c)
5C THSC Chapter 382 382.085(b)

Description: Failure to submit HRVOC Delay of Repair report.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(2)(A)(i)
5C THSC Chapter 382 382.085(b)

Description: Failure to conduct Extra-Ordinary Efforts.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)
5C THSC Chapter 382 382.085(b)
SC 34E PA
STC 19 PA

Description: Failure to seal open ended lines.

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
SC 35F PA
STC 19 OP

Description: Failure to conduct fugitive monitoring on 216 valves.

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter D 115.352(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) STC 1A OP		
Description:	Failure to verify leak repairs.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.788(c) 5C THSC Chapter 382 382.085(b)		
Description:	Failure to provide 30 day notification prior to HRVOC Audit.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) SC 13 PA STC 19 OP		
Description:	Failure to maintain hourly NOX emissions within limits.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter H 115.725(d)(3) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) STC 1Hi OP		
Description:	Failure to maintain flare analyzer downtime to less than 5%.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 117, SubChapter B 117.310(c)(2) 5C THSC Chapter 382 382.085(b)		
Description:	Failure to maintain ammonia emissions less than 10 ppmv.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) SC 1 PA STC 19 OP		
Description:	Failure to maintain ammonia emissions within the MAERT.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 117, SubChapter B 117.300 30 TAC Chapter 117, SubChapter B 117.340(d) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) STC 1A OP		
Description:	Failure to monitor ammonia slip.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(4)(ii) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(7)(ii) 5C THSC Chapter 382 382.085(b) SC 11A PA STC 1A OP		
Description:	Failure to maintain flare exit velocity less than Vmax.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3) 5C THSC Chapter 382 382.085(b) SC 11A PA STC 1A OP		
Description:	Failure to maintain net heating content greater than 300 Btu/scf.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 117, SubChapter B 117.300 30 TAC Chapter 117, SubChapter B 117.335(a)(4) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) STC 1A OP		
Description:	Failure to test engine within 60 days.		
Self Report?	NO	Classification:	Moderate

Citation:	30 TAC Chapter 117, SubChapter B 117.300 30 TAC Chapter 117, SubChapter B 117.310(c)(1) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) STC 1A OP	
Description:	Failure to maintain CO emissions less than 400 ppmv.	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) SC 1 PA STC 19 OP	
Description:	Failure to maintain firing rates within limits.	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) SC 4B PA STC 19 OP	
Description:	Failure to maintain boiler firing rate less than 388 mmbtu/hr.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) SC 49 PA STC 19 OP	
Description:	Failure to record vent stream flow to flare.	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) SC 1 PA STC 19 OP	
Description:	Failure to maintain CO emissions within the MAERT.	
Self Report?	NO	Classification: Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(1)(A) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) STC 3Ai OP	
Description:	Failure to prevent visible emissions from stationary vents.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038(c)(2)(i) 5C THSC Chapter 382 382.085(b) STC 1A OP	
Description:	Failure to maintain records of Audio, Visual, Olfactory (AVO) inspections.	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) SC 38 PA STC 19 OP	
Description:	Failure to record time during ammonia AVO inspections	
Self Report?	NO	Classification: Minor
Citation:	1A OP 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) SC 3 PA	
Description:	Failure to maintain NOx emissions within limits	
Self Report?	NO	Classification: Minor
Citation:	30 TAC Chapter 117, SubChapter B 117.300 30 TAC Chapter 117, SubChapter B 117.345(b)(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THSC Chapter 382 382.085(b) STC 1A OP	

Description: Failure to submit PEMS RATA notification within 15 days.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
STC 7A OP

Description: Failure to prevent engine testing between 6 am and 12 noon.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
STC 2F OP

Description: Failure to submit Emission Event reports to local programs.

Date: 11/10/2008 (700448) CN602817884
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)
Special Condition #11.B PERMIT

Description: Failed to prevent the loss of flame on the flare.

Date: 04/27/2009 (737963) CN602817884
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT

Description: Failure to prevent unauthorized emissions during an emissions event.

Date: 07/31/2009 (727445) CN602817884
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 12/17/2009 (784082) CN602817884
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PERMIT

Description: Failure to prevent the unauthorized emissions. C-302 and C-501 compressors tripped during level adjustments to the D-345 flash drums.

Date: 05/31/2010 (846251) CN602817884
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Date: 08/05/2010 (747496) CN602817884
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
5C THSC Chapter 382 382.085(b)

Description: Failure to limit Cogen HRSG boiler firing rate to 213 MMBtu/hr. Category B violation.

Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 106, SubChapter T 106.454(1)(A)(ii)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Description: Failure to maintain solvent make up records. Category C 3 violation.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter E 115.412(2)(D)(i)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Description: Failure to maintain proper freeboard level on degreasers. Category C 7 violation.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.340(a)
5C THSC Chapter 382 382.085(b)

Description: Failure to install fuel flow-meters. Category C 7 violation.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)(C)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.171(d)(2)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to repair two pumps on delay of repair (DOR). Category C 7 violation.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 115, SubChapter H 115.783(5)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)
5C THSC Chapter 382 382.085(b)
Special Condition 34E PA
Special Conditions 1A, 18 OP

Description: Failure to cap/plug open-ended lines in VOC/HAPS/HRVOC service. Category C 10 violation.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 115, SubChapter H 115.782(b)(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 34I PA
Special Conditions 1A, 18 OP

Description: Failure to repair valves on required time frame.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)
5C THSC Chapter 382 382.085(b)
Special Condition 11 PA
Special Conditions 1A and 18 OP

Description: Failure to operate flares without visible emissions.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 5(B)(i) OP

Description: Failure to operate waste gas units/furnaces within opacity limit. Category C 7 violation.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(2)(A)
5C THSC Chapter 382 382.085(b)

Description: Failure to include T-301, T-304 vents in the new source performance standards (NSPS) applicability in the Federal Operating Permit (FOP) #O-02327. Category C 7 violation.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.335(a)(4)
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to perform required initial engine test. Category C 1 violation.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to conduct stationary emergency diesel engine test at a required time.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 117, SubChapter B 117.310(c)(1)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to maintain carbon monoxide (CO) less than 400 ppmv. Category B 14 violation.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(4)
5C THSC Chapter 382 382.085(b)

Description: Failure to sample a highly reactive volatile organic compound (HRVOC) analyzer. Category C 1 violation.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(d)(1)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to conduct continuous emission monitoring system (CEMS) daily zero span check.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)(2)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(4)(ii)
40 CFR Part 63, Subpart A 63.11(b)(7)(i)
5C THSC Chapter 382 382.085(b)
Special Condition 11A PA
Special Conditions 1A, 18 OP

Description: Failure to maintain flare velocity. CATEGORY C 4 violation.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)(1)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)
5C THSC Chapter 382 382.085(b)
Special Condition 11A PA
Special Conditions 1A, 18 OP

Description: Failure to maintain flare hourly net heating value at 300 Btu/SCF.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.166(a)
5C THSC Chapter 382 382.085(b)
Special Condition 1A OP

Description: Failure to equip sample connection system with a closed-purge.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 18 OP
Special Condition 38 PA

Description: Failure to maintain aqueous ammonia audio, visual, olfactory (AVO) record.
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter H 115.781(a)
5C THSC Chapter 382 382.085(b)

Description: Failure to identify a component in highly-reactive volatile organic compound (HRVOC) service. Category C 7 violation.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)
5C THSC Chapter 382 382.085(b)

Description: Failure to document time in the daily flare visible emission log. Category C 3 violation.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 18 OP
Special Condition 43H PA

Description: Failure to demonstrate ninety five percent valid emission with predictive emission monitoring system (PEMS). Category C 1 violation.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 117, SubChapter G 117.8100(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 41 PA
Special Conditions 1A, 18 OP

Description: Failure to continuously maintain and operate continuous emission monitoring system (CEMS). Category C 1 violation.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(A)
5C THSC Chapter 382 382.085(b)
General Terms and Conditions OP

Description: Failure to submit a complete deviation report.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
Special Condition 1 PA
Special Condition 18 OP

Description: Exceedence of hourly CO limit (MAERT) during relative accuracy test audit (RATA). Category B 14 violation.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)
30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT WW 63.1063(b)(3)
5C THSC Chapter 382 382.085(b)
Special Condition 8 PA
Special Conditions 1A, 18 OP

Description: Failure to close tank hatch. Category C 1 violation.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter G 116.715(a)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.999(a)(1)(iv)
5C THSC Chapter 382 382.085(b)
Special Condition 8 PA
Special Conditions 1A, 18 OP

Description: Failure to submit an application to substitute a prior flare performance test within ninety days. Category B 3 violation.

Date: 08/31/2010 (803098) CN602817884

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.726(a)(1)(A)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
STC #1(A) OP

Description: Failure to maintain a copy of the flares (EPNs: P2FLARE, P-3POLY, and P4FLARE) HRVOC monitoring Quality Assurance Plan (QAP). (Category C3)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.766(i)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Terms and Conditions #1(A) PERMIT
 Description: Failure to maintain a copy of the cooling towers (EPNs: P3CWT and P4CWT)
 HRVOC monitoring QAP which was deleted from the system. [Category C3]
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 5C THSC Chapter 382 382.085(b)
 Special Condition #8E PERMIT
 Special Terms and Conditions #1A OP
 Special Terms and Conditions #9 OP
 Description: Failure to seal one (1) open-ended line discovered in the PP4 Unit. [Category C10]
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition #8C PERMIT
 Special Terms and Conditions #1A OP
 Special Terms and Conditions #9 OP
 Description: Failure to prevent visible emissions at the P-3POLY flare. [Category B18]
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition #8A PERMIT
 Special Terms and Conditions #1A OP
 Special Terms and Conditions #9 OP
 Description: Failure to maintain the net heating content for the P-3POLY flare greater than 300 Btu/scf. [Category C4]
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter H 115.722(d)(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition #3A PERMIT
 Special Terms and Conditions #1A OP
 Special Terms and Conditions #9 OP
 Description: Failure to maintain the net heating content for the P4FLARE greater than 300 Btu/scf. [Category C4]
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Terms and Conditions #1A OP
 Description: Failure to prevent emergency generator (EPN:P4EMGEN) on October 29, 2009 from operating between 6 a.m. and 12 noon. [Category C4]
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 General Terms and Conditions OP
 Special Terms and Condition#3(B)(iv)(1) OP
 Description: Failure to conduct visible emission observations on stationary vents once during each quarter from April 1, 2009 through March 31, 2010. [Category B1]
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 115, SubChapter H 115.783(5)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition #5E PERMIT
 Special Terms and Conditions #1A OP
 Special Terms and Conditions #9 OP
 Description: Failure to seal six (6) open-ended lines discovered in the PP3 Unit. [Category

Date: 08/31/2010 (849984) CN602817884
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 319, SubChapter A 319.7(a)
 30 TAC Chapter 319, SubChapter A 319.7(c)
 Description: Failure to maintain a temperature log for the sample storage refrigerator. At the time of the inspection, a temperature log was not being maintained for the sample storage refrigerator. A log must be maintained to ensure the sample refrigerator is operating properly.

Date: 03/09/2011 (895466) CN602817884
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter G 117.8100(b)(4)(C)(ii)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1(A) OP
 Description: Chocolate Bayou plant failed an O2 RATA.(C-1)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 117, SubChapter B 117.345(c)(1)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Special Condition 1(A) OP
 Description: Chocolate Bayou plant failed to submit the Compliance Test Report within the 60 day limit.(C-3)

F. Environmental audits.

Notice of Intent Date: 04/30/2010 (803375)

No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
INEOS USA LLC
RN100238708**

**§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2011-1081-AIR-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding INEOS USA LLC ("the Respondent") under the authority OF TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a chemical manufacturing plant located two miles south of the intersection of Farm-to-Market Road 2917 and Farm-to-Market Road 2004 in Brazoria County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During a record review on March 30, 2011, TCEQ staff documented that the Respondent failed to prevent unauthorized emissions. Unauthorized emissions of 9,553.23 pounds ("lbs") of volatile organic compounds (including 8,525.49 lbs of ethylene), 8,764.65 lbs of carbon monoxide and 1,166.64 lbs of nitrogen oxides were released from the Olefins 1 Flare, Emissions Point Number DM-1101, during an avoidable emissions event that began on March 1, 2011, and lasted seven hours (Incident No. 151392). The event occurred when the Respondent failed to unblock the steam tracing line and prevent the formation of cracks in the line.
4. During a record review on March 30, 2011, TCEQ staff documented that the Respondent failed to report all contaminants released in the final report. Specifically, the final report submitted for Incident No. 151392, which occurred on March 1, 2011, failed to specify the release of propylene, propane, 1,3-butadiene, butenes and pentane the unauthorized release.
5. The Respondent received notice of the violations on June 20, 2011.
6. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Plant:
 - a. On March 14, 2011, completed repair of the steam tracing line to prevent blockage and scanned the demethanizer tower to evaluate tower operation and ensure all trays, reboiler sump and manways are in good working order;
 - a. On June 2, 2011, completed training of personnel to ensure that reports are submitted with the correct information; and
 - b. On July 13, 2011, completed training of personnel to provide alternate steam tracing to instruments when the main steam line is blocked for maintenance.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.715(a) and 122.143(4), Flexible Permit Nos. 95 and PSD-TX-854M2, Special Conditions No. 1, Federal Operating Permit No. 1353, Special Terms and Conditions No. 9 and TEX. HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable by better operational practices, the Respondent is precluded from asserting an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.

3. As evidenced by Findings of Fact No. 4, the Respondent failed to report all contaminants released in the final report, in violation of 30 TEX. ADMIN. CODE § 101.201(b)(1)(G) and TEX. HEALTH & SAFETY CODE § 382.085(b).
4. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
5. An administrative penalty in the amount of Ten Thousand Four Hundred Ninety-Six Dollars (\$10,496) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid the Ten Thousand Four Hundred Ninety-Six Dollar (\$10,496) administrative penalty.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Ten Thousand Four Hundred Ninety-Six Dollars (\$10,496) as set forth in Section II, Paragraph 5 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: INEOS USA LLC, Docket No. 2011-1081-AIR-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
3. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.

4. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
5. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
6. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
7. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission


For the Executive Director

10/16/11
Date


I, the undersigned, have read and understand the attached Agreed Order in the matter of INEOS USA LLC. I am authorized to agree to the attached Agreed Order on behalf of INEOS USA LLC, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, INEOS USA LLC waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.


Signature

8/22/11
Date

DAVID BRACKETT
Name (Printed or typed)
Authorized Representative of
INEOS USA LLC

SITE MANAGER
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section III, Paragraph 1 of this Agreed Order.